



JRW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Tomonori IMAMURA et al.

Group Art Unit: 1745

Application No.: 10/776,621

Examiner: J. CREPEAU

Filed: February 12, 2004

Docket No.: 118631

For: FUEL CELL SYSTEM UTILIZING CONTROL OF OPERATING CURRENT TO
ADJUST MOISTURE CONTENT WITHIN FUEL CELL

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the March 23, 2007 Election of Species Requirement, Applicants provisionally elect Species (i), drawn to a system determining lowest and highest moisture contents from among a plurality of sections and controlling that section, with traverse. Claims 4-7, 9, 14-17, 19 and 20 are readable on Species (i). Claims 1-3, 8, 12, 13 and 18 are generic to all species.

It is respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully

submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Daniel A. Tanner, III
Registration No. 54,734

JAO:DAT/tbm

Date: April 20, 2007

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
